

HOUSE BILL 1274

M3

0lr2687

By: **Delegate Costa**

Introduced and read first time: February 18, 2010

Assigned to: Environmental Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Well Drilling – Local Health Department – Appeal**

3 FOR the purpose of authorizing a certain person that has been issued or has applied
4 for a certain permit to appeal a certain decision of a certain local health
5 department to the Department of the Environment; establishing certain
6 procedures for a certain appeal; requiring the Department to make a certain
7 final decision and provide certain notice within a certain period of time; and
8 generally relating to a permit to drill a well.

9 BY adding to
10 Article – Environment
11 Section 9–1307.1
12 Annotated Code of Maryland
13 (2007 Replacement Volume and 2009 Supplement)

14 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
15 MARYLAND, That the Laws of Maryland read as follows:

16 **Article – Environment**

17 **9–1307.1.**

18 **(A) THIS SECTION APPLIES TO A PERSON THAT HAS BEEN ISSUED OR**
19 **HAS APPLIED FOR A PERMIT TO DRILL A WELL AS REQUIRED BY THIS SUBTITLE.**

20 **(B) (1) FOR THE PURPOSES OF THIS SUBSECTION, “DECISION”**
21 **INCLUDES AN ACTION OR INACTION BY A LOCAL HEALTH DEPARTMENT.**

22 **(2) A PERSON AGGRIEVED BY A DECISION OF A LOCAL HEALTH**
23 **DEPARTMENT THAT WAS DELEGATED BY THE DEPARTMENT TO IMPLEMENT THE**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 REQUIREMENTS OF THIS SUBTITLE MAY APPEAL THE DECISION TO THE
2 DEPARTMENT IN ACCORDANCE WITH PARAGRAPH (3) OF THIS SUBSECTION.

3 (3) AN APPEAL UNDER PARAGRAPH (2) OF THIS SUBSECTION:

4 (I) MAY BE MADE BY MAIL, TELEPHONE, OR ELECTRONIC
5 COMMUNICATION;

6 (II) SHALL INCLUDE A DESCRIPTION OF THE BASIS FOR THE
7 APPEAL, INCLUDING A DESCRIPTION OF THE DECISION OF THE LOCAL HEALTH
8 DEPARTMENT; AND

9 (III) SHALL SPECIFY THE CORRECTIVE ACTION OR RULING
10 THAT IS BEING REQUESTED BY THE DEPARTMENT.

11 (C) WITHIN 24 HOURS AFTER THE DEPARTMENT RECEIVES AN APPEAL
12 UNDER THIS SECTION, THE DEPARTMENT SHALL:

13 (1) MAKE A FINAL DECISION ON THE CORRECTIVE ACTION OR
14 RULING THAT IS REQUESTED UNDER SUBSECTION (B)(3)(III) OF THIS SECTION;
15 AND

16 (2) NOTIFY THE PERSON THAT INITIATED THE APPEAL AND THE
17 LOCAL HEALTH DEPARTMENT OF THE DEPARTMENT'S FINAL DECISION.

18 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
19 October 1, 2010.